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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|------------------------------|---------------------|------------------|
| 09/781,865 | 02/12/2001 | George Lutich | 9788980-0004 | 5139 <i>B</i> |
| 7590 10/01/2003 | | | | |
| JOSEPH A MAHONEY MAYER BROWN & PLATT PO BOX 2828 CHICAGO, IL 60690-2828 | | EXAMINER CINTINS, IVARS C | | |
| | | ART UNIT 1724 | | |
| | | PAPER NUMBER | | |

DATE MAILED: 10/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
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| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| 09/781,865 | 02/12/2001 | George Lutich | 01786295 |

| EXAMINER | |
|------------|--------------|
| I. Cintins | |
| ART UNIT | PAPER NUMBER |
| 1724 | 13 |

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The communication filed on June 27, 2003 is not deemed to be fully responsive to the Office Action dated December 27, 2002 because this communication fails to comply with the requirements of 37 CFR 1.111(b).

37 CFR 1.111(b) states:

In order to be entitled to reconsideration or further examination, the applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action. The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply must appear throughout to be a *bona fide* attempt to advance the application or the reexamination proceeding to final action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

Art Unit: 1724

The Office Action dated December 27, 2002 contains: (1) a rejection of claims 1-7, 9-16 and 18-21 under 35 U.S.C. 102(b) as being anticipated by Haslett; (2) a rejection of claims 1-4, 6, 7 and 9-21 under 35 U.S.C. 102(e) as being clearly anticipated by Farley; (3) a rejection of claim 8 under 35 U.S.C. 103(a) as being unpatentable over Haslett; and (4) a rejection of claims 5 and 8 under 35 U.S.C. 103(a) as being unpatentable over Farley.

The communication filed June 27, 2003 cancels claims 1-21 and adds claims 83-85. This communication, however, fails to specifically point out how these new claims distinguish over the references of record. In fact, no mention is even made of any of the references of record. The mere statement that "limitations regarding the substantially pure copper filter media tracks the subject matter from U.S. Ser. No. 09/736,637, which has been recently allowed by the examiner" is not deemed to satisfy the requirements of 37 CFR 1.111(b) for reconsideration or further examination.

Also, the "replacement paragraphs for the specification" attached to the above noted communication have not been entered because Applicant has failed to indicate what changes are being made (i.e. with a marked up version) and where in the original specification such changes are to be made.


Art Unit: 1724

Since the above noted communication appears to be *bona fide*, Applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment of the application. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is (703) 308-3840. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Blaine Copenheaver, can be reached at (703) 308-1261.

The fax phone numbers for this art unit are: (703) 872-9311 for "Official" faxes after Final Rejection; (703) 872-9310 for all other "Official" faxes; and (703) 872-9492 for "Draft" and other "Unofficial" faxes.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.


Ivars C. Cintins
Primary Examiner
Art Unit 1724

I. Cintins
September 29, 2003